

UNITED STATES OF AMERICA
Before the
SECURITIES AND EXCHANGE COMMISSION

SECURITIES ACT OF 1933
Release No. 8914A / May 1, 2008

SECURITIES EXCHANGE ACT OF 1934
Release No. 57749A / May 1, 2008

ADMINISTRATIVE PROCEEDING
File No. 3-13030

In the Matter of

BANC OF AMERICA INVESTMENT SERVICES, INC., AND COLUMBIA MANAGEMENT ADVISORS, LLC, as successor in interest to Banc of America Capital Management, LLC,

Respondents.

CORRECTED ORDER UNDER SECTION 27(A)(b) OF THE SECURITIES ACT OF 1933 AND SECTION 21E(b) OF THE SECURITIES EXCHANGE ACT OF 1934, GRANTING WAIVERS OF THE DISQUALIFICATION PROVISIONS OF SECTION 27A(b)(1)(A)(ii) OF THE SECURITIES ACT OF 1933 AND SECTION 21E(b)(1)(A)(ii) OF THE SECURITIES EXCHANGE ACT OF 1934 AS TO BANC OF AMERICA INVESTMENT SERVICES, INC., COLUMBIA MANAGEMENT ADVISORS, LLC, AND THEIR AFFILIATES

Banc of America Investment Services, Inc. (“BAISI”) and Columbia Management Advisors, LLC (“CMA”)(collectively “Respondents”) have submitted a letter on behalf of themselves and their affiliates, including Bank of America Corporation, dated March 20, 2008, for a waiver of the disqualification provisions of Section 27A(b)(1)(A)(ii) of the Securities Act of 1933 (“Securities Act”) and Section 21E(b)(1)(A)(ii) of the Securities Exchange Act of 1934 (“Exchange Act”) arising from their settlement of an administrative proceeding commenced by the Commission. On May 1, 2008, pursuant to Offers of Settlement by Respondents, the Commission issued an Order Instituting Proceedings Pursuant to Section 8A of the Securities Act of 1933, Sections 15(b) and 21C of the Securities Exchange Act of 1934, Section 9(b) of the Investment Company Act of 1940, and Sections 203(e) and (k) of the Investment Advisers Act of 1940, Making Findings, and Imposing a Cease-and-Desist Orders, Penalties, and Other Relief against Respondents.

Under the Order, the Commission found that between July 2002 and December 2004, BAISI selected at least two affiliated funds (“Nations Funds”) for inclusion in BAISI’s wrap fee program using a methodology that favored Nations Funds and was inconsistent with the

objective methodology previously disclosed to clients. The Commission further found that BAISI's affiliate, CMA, earned additional fees as a result because its management fees were based, in part, on Nations Funds' asset size. In the Order, the Commission ordered BAISI to pay disgorgement of \$3,310,206, prejudgment interest of \$793,773 and a civil monetary penalty of \$2,000,000 and ordered CMA to pay disgorgement of \$2,143,273, prejudgment interest of \$516,382 and a civil monetary penalty of \$1,000,000. Additionally, the Order requires that Respondents cease and desist from all of the alleged violations; a censure; and requires Respondents to comply with certain undertakings as to adoption of policies and procedures designed to prevent further violations.

Among other things, the Order finds that BAISI violated Sections 17(a)(2) and 17(a)(3) of the Securities Act and Sections 206(2) and 206(4) of the Investment Advisers Act of 1940 (and CMA aided and abetted BAISI's violations of Sections 206(2) and 206(4) of the Investment Advisers Act of 1940) in that BAISI made misrepresentations about the research process and failed to disclose conflicts of interest inherent in the selection of funds for BAISI's discretionary clients between July 2002 and December 2004. Under the terms of the Order, BAISI will pay disgorgement of \$3,310,206, prejudgment interest of \$793,773 and a civil monetary penalty of \$2,000,000. CMA will pay disgorgement of \$2,143,273, prejudgment interest of \$516,382 and a civil monetary penalty of \$1,000,000. Additionally, the Order includes a cease and desist with respect to all of the violations; a censure; and certain undertakings as to adoption of policies and procedures designed to prevent further violations.

The safe harbor provisions of Section 27A(c) of the Securities Act and Section 21E(c) of the Exchange Act are not available for any forward looking statement that is "made with respect to the business or operations of an issuer, if the issuer . . . during the 3-year period preceding the date on which the statement was first made . . . has been made the subject of an . . . administrative decree or order arising out of a governmental action that (I) prohibits future violations of the antifraud provisions of the federal securities laws; (II) requires that the issuer cease and desist from violating the antifraud provisions of the securities laws; or (III) determines that the issuer violated the antifraud provisions of the securities laws[.]" Section 27A(b)(1)(A)(ii) of the Securities Act and Section 21E(b)(1)(A)(ii) of the Exchange Act. The disqualifications may be waived "to the extent otherwise specifically provided by rule, regulation, or order of the Commission." Section 27A(b) of the Securities Act and Section 21E(b) of the Exchange Act.

Based on the representations set forth in Respondents' letter, the Commission has determined that, under the circumstances, the request for a waiver of the disqualifications resulting from the entry of the Order is appropriate and should be granted.

Accordingly, **IT IS ORDERED**, pursuant to Section 27A(b) of the Securities Act and Section 27E(b) of the Exchange Act, that a waiver from the disqualification provisions of Section 27A(b)(1)(A)(ii) of the Securities Act and Section 21E(b)(1)(A)(ii) of the Exchange Act as to Respondents and their affiliates, including Bank of America Corporation, resulting from the entry of the Order is hereby granted.

By the Commission.

Nancy M. Morris
Secretary